

Appl. No. 10/738,563
Amdt. dated 19 April 2006
Reply to Office action of 19 October 2005

Remarks/Arguments

Claims 1-7 are pending in this application. Claim 1 has been amended and Claim 7 has been added. Claims 1-7 will be pending after entry of this response. No new matter has been entered.

In the October 19, 2005 office action, the Examiner rejected claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by Godin, et al (Godin.) A claim is anticipated only if each and every element as set forth in the claim is found in the reference. M.P.E.P. § 2131. Applicant has amended claim 1, and now claim 1 is patentably distinguishable from the Godin reference. Claims 2, 3 and 4 depend from claim 1 and are also subsequently distinguished as they now include a feature not described by Godin.

The Examiner has also rejected claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Godin in view of Armstrong. In order to establish the obviousness of a claim, the Examiner must show that all of the claim limitations are taught or suggested by the prior art. M.P.E.P. § 2143.03. Independent claim 1, previously rejected under 35 U.S.C. § 102(a), has now been amended and is thus patentably distinguished from Godin. Therefore, dependent claims 5 and 6 are patentable for at least the same reason over any combination of Godin and Armstrong.

For the above reasons, claims 1-7 in the application are now clearly patentable over the references and any combination of them. Accordingly, the application is in condition for allowance and such action is respectfully solicited. Applicant believes that he has responded to

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all the concerns raised by the Examiner. If the Examiner has any questions about the present response, a telephone interview is requested.

A petition for extension of time under C.F.R. 1.136(a) and a Request for Continued Examination under C.F.R. 1.114 are submitted along with their appropriate fees. No additional fees are due.

Respectfully submitted,

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Attachment: Version With Markings To Show Changes Made

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Version With Markings To Show Changes Made:

IN THE CLAIMS:

What is claimed is:

Claim 1 (Currently amended): A cover for a stringed instrument comprising:

a top portion for covering the headstock and tuning keys of said instrument;

a body portion for covering the strings and neck of said instrument with one or more straps to secure the body portion around the headstock; and

an end portion for attaching said cover to the body of said instrument[.];

wherein said end portion is configured so that the exterior surface of the body of said instrument is uncovered thereby permitting a user to view the uncovered body of said instrument.

Claim 2 (Original): A cover of claim1 further comprising one or more detachable straps connected at one end to a free edge of the top portion of said cover and connected at another end to a free edge of the end portion of said cover.

Claim 3 (original): A cover of claim 1 further comprising one or more pockets accommodated within said cover or on the exterior of said cover.

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Claim 4 (original): A cover of claim 1 wherein said cover is made of a fabric material.

Claim 5 (original): A cover of claim 1 wherein said cover is made of a plastic.

Claim 6 (original): A cover of claim 5 wherein said plastic material is clear.

Claim 7 (new): A cover of claim 1 wherein said end portion is configured so that a majority of the exterior surface of the body of said instrument is uncovered thereby permitting a user to view the uncovered exterior surface of the body of said instrument.